

## JOSHUA S BARKLEY

Vs.

Plaintiffs

## Report on meet and confer

UNITED STATES DEPARTMENT OF LABOR

Case 19-CV-01595 DWL

Respondent(s)

## Notice of Meet and confer

Plaintiff attempted to meet and confer with Defendant Unions IAEP & ICEP

several times as ordered in (doc 38). Defendant either did not answer or deferred the proceedings to the NLRB and Department of Labor.

Defendants IAEP & ICEP failed to offer any (*read “none”*) complaints over the red lined version of Plaintiffs compliance in order (doc 38). Plaintiffs actions were

1 done in good faith and began less than 36 hours after plaintiff complied with the  
2 courts order to produce notice and a red lined version of the amended complaint in  
3 6 days.  
4

5  
6 Defendant Department of Labor is barred from participation by rule 15 a (1) b

7  
8 Defendant National Labor Relations Board is barred from participation by rule 15  
9 a (1) b

10 Defendant Department of Labor & Defendant National Labor Relations Board  
11 participated in the meet and confer conference against the courts order that  
12 Plaintiff meet and Confer with Defendant ICEP & IAEP ( doc 35) pursuant to their  
13 motion to strike. DOL & NLRB made no such motion and their participation has  
14 interfered with Plaintiffs right to Amend a complaint by right.  
15  
16

17  
18  
19 Defendant DOL and Defendant NLRB's domination of the meet and confer are  
20 outside of the court's order (doc 38)  
21

22  
23 Defendants violate 15 a (1) b, and 18 U.S. Code § 1505. Obstruction of  
24 proceedings before departments, agencies, and committees,  
25

26  
27 Plaintiffs rights are violated again, sanctions are warranted  
28

1  
2  
3 Plaintiff complied with order (Doc 38) and the first amended complaint is  
4 unchallenged by any defendant authorized to challenge. Motion to Strike was moot  
5 on May 20th, 2019 pursuant to the courts order:  
6

7  
8  
9 *(The Court will grant the requested relief to the extent Defendants request that*  
10 *Plaintiff be required to file the Notice and redlined draft of the amended complaint*  
11 *as required by LRCiv 15.1(b). It is important for litigants to follow the local rules.*  
12 *Moreover, the rule requiring a redlined draft makes it easier for all parties—and*  
13 *for the Court—to understand how the amended complaint differs from the original*  
14 *complaint. However, if Plaintiff files the separate notice and redlined draft*  
15 *required by LRCiv 15.1(b), there is no need to strike the amended complaint at*  
16 *Doc. 21)*

17 Defendant IAEP: & ICEP continues to attempt to strike the amended complaint  
18 that was submitted pursuant to Rule 15 a (1) B yet offers no adjustments of their  
19 own, deferring completely to two defendants that are not included in the order.  
20

21 Defendants violation of the Plaintiffs rights to due process are ongoing and should  
22 be noted in future considerations of the Defendant dispositive motions.  
23  
24

25  
26 As to Discovery, (doc 38) Statute 482 states that the lack of certification from the  
27 judge is a mandate and defendants ICEP & IAEP appearance in defense of this  
28

1 case in stark contrast of written law. The defendant Department of Labor authored  
2 the proposed order that violated the Plaintiffs rights to appeal and violated Statute  
3 482 (CV 14-01723) making their complaints (doc 33 attached ) about the  
4 proceedings in case 14-01723 conflict with reality. That violation of due process  
5 needs no other support. The pleadings in this case defeat all defenses. No  
6 Defendant is authorized by the courts to continue defending the Unions  
7 certification as there is none. Plaintiff retains the right to discovery from all  
8 Defendant and no written stipulation exists between the parties to void discovery  
9 requirements. A written stipulation between the parties is a court ordered  
10 requirement pursuant to GO 17-08 and none will be submitted on behalf of the  
11 Plaintiff.  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

## Signature Page

/s/ Joshua S. Barkley  
2234 W Riviera Drive,  
Tempe, Arizona 85282  
480-213-6777  
May 26th, 2019

---

CERTIFICATE OF SERVICE

U.S. Department of Labor  
Office of the Solicitor of Labor  
200 Constitution Avenue, N.W., Room S-2002  
Washington, DC 20210  
Office of Legal Counsel  
National Labor Relations Board  
1015 Half Street SE  
Washington DC 20570-1001  
Headquarters Information 202-273-1000

U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001  
United States Attorney's office,  
District of Arizona  
40 N Central Ave # 1200,  
Phoenix, AZ 85004

National Labor Relations Board  
1015 Half Street SE  
Washington, D.C. 20570-0001